



Georgia Government Transparency and Campaign Finance Commission
200 Piedmont Avenue | Suite 1416, West Tower | Atlanta, Georgia 30334
404-463-1980 | www.ethics.georgia.gov

Minutes of Commission Meeting

Regular Meeting | Wednesday, December 4, 2019 at 10:00 AM

Location: Coverdell Legislative Office Building
Room 606, 18 Capitol Square
Atlanta, Ga. 30334

PRESENT:

Commission Members:

Jake Evans, Chairman
James D. Kreyenbuhl, Vice Chairman
Robert A. Watts, Commission Member
Rick Thompson, Commission Member

Office of the Attorney General:

Christian Fuller, Assistant Attorney General

Commission Staff:

David Emadi, Executive Secretary
Robert Lane, Deputy Executive Secretary
Joseph Cusack, Staff Attorney
Janene Browder, Staff Attorney
Jeff Morris, Legislative Liaison
Katie Easterwood, Legal Secretary
Chris Phelps, Paralegal
Erwin Yap, Office Administrator
Don Wood, IT
Holly Smith, Videographer
Tamara Solomon, Videographer
Cathy Cox, Court Reporter

MEETING CALLED TO ORDER:

The meeting was called to order at 10:11 a.m. by Chair Evans.

A motion was made to modify the agenda moving items 6, 7, 8, 9 and 10 to follow item 2.

Motioned by: Chair Evans

Seconded by: Commissioner Watts

Vote: 4 to 0 carried as approved

REVIEW AND APPROVAL OF MEETING MINTUES:

After reviewing the proposed minutes, a motion was made to adopt the minutes from the September 26, 2019 Regular Commission meeting with the modification that Commissioner Allen Yee is replaced with Commissioner Rick Thompson.

Motioned by: Chair Evans

Seconded by: Vice Chair Kreyenbuhl

Vote: 4 to 0 carried as approved

ADMINISTRATIVE DISMISSALS:

- a) 2018-0016 In the Matter of Thomas R. Toms
- b) 2011-0025 In the Matter of Friends of SPLOST Committee
- c) 2015-0065 In the Matter of Jefferson Clark
- d) 2017-0220PC In the Matter of Cheryl Yvette Bland
- e) 2019-0014 In the Matter of Duane Harris

RULES FOR CONSIDERATION:

After reviewing the proposed new rule, a motion was made to adopt New Rule 189.2-.11.

*Motioned by: Commissioner Watts
Seconded by: Vice Chair Kreyenbuhl
Vote: 4 to 0 carried as approved*

After reviewing the proposed amended rule, a motion was made to adopt Amended Rule 189-2-.01.

*Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 4 to 0 carried as approved*

REPORT OF THE EXECUTIVE SECRETARY:

Executive Secretary David Emadi presented to the Commission a report on the following items:

- a) Atlanta Mayoral Audit Update

As a result of the audit, additional allegations were filed in two separate cases against candidates for mayor in 2017 alleging that they accepted a fairly significant amount of money in improper campaign contributions. Subpoenas were issued for the bank records of both campaigns. Both cases are currently under active investigation.

After working with City Hall in Atlanta, it has been found that a number of officials or former candidates owe outstanding monies for over \$20,000 in monies due to the Commission. Efforts are being made to continue to work with them, but it is reaching a point where these cases will be referred to the Attorney General's office for enforcement actions in Fulton county.

- b) Local Audit

Multiple cities and counties have randomly been selected for a preliminary audit. Those locations include: City of College Park, Cobb County, City of Euclid, Effingham County, City of Douglasville, Carroll County, Macon-Bibb County, City of Griffin, Chatham County and Gwinnett County.

- c) Archive/Retention Schedule

A state approved archive/retention schedule has now been approved and gone into effect.

d) Technology Update

A new case management system has been implemented internally in the office.

Following the Report of the Executive Secretary, a motion was made to move current agenda items 9 and 10 respectively back to the end of the agenda.

Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 4 to 0 carried as approved

MOTION TO QUASH:

a) 2019-0024PC In the Matter of Neil Warren

Prior to hearing the Motion to Quash, the Commission first heard a Motion for Recusal of Commissioner Rick Thompson presented by Respondent's counsel Doug Chalmers. Per policy, Chair Evans deferred to Commissioner Thompson, at which time Commissioner Thompson thanked counsel for his diligence on behalf of his client and announced that he is confident that he can be impartial and would not recuse himself from this matter.

After having been presented, a motion was made to deny the Motion to Quash.

Motioned by: Chair Evans
Seconded by: Vice Chair Kreyenbuhl
Vote: 4 to 0 carried as approved

At this time, Chair Evans announced the Commission would take a brief recess; exiting at 11:50 a.m. and returning at 12:01 p.m.

b) 2019-0050PC In the Matter of New Georgia Project Inc. and New Georgia Project Action Fund

After having been presented, a motion was made to deny the Motion to Quash.

Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 4 to 0 carried as approved

At this time, Chair Evans announced the Commission would recess for lunch; exiting at 01:38 p.m. and returning at 02:14 p.m.

Note: Vice Chair Kreyenbuhl had to excuse himself for the remainder of the meeting

PRELIMINARY HEARINGS:

Prior to the Preliminary hearings, a motion was made to continue case a) 2019-0038PC In the Matter of Colton Moore and to move case b) 2019-0040PC Sheikh "Chad" Rahman to Consent Orders.

Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 3 to 0 carried as approved

i) 2018-0012 In the Matter of Marc Allen Urbach

A motion was made to adopt the staff's recommendation for matter of 2018-0012 in the Matter of Marc Allen Urbach.

Motioned by: Commissioner Watts
Seconded by: Commissioner Thompson

An amended motion was made to find that reasonable grounds exist that the Campaign Finance Act has been violated.

Motioned by: Chair Evans
Seconded by: Commissioner Thompson
Vote: 3 to 0 carried as approved

Following the carrying of the motion, the Commission heard from the complainant Mr. Mark Zeller.

c) 2019-0041PC In the Matter of David Lucas

A motion was made to find that reasonable grounds exist that the Campaign Finance Act has been violated.

Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 3 to 0 carried as approved

j) 2018-0058/2018-0109 In the Matter of Sabrina McKenzie

A motion was made to find that reasonable grounds exist that the Campaign Finance Act has been violated.

Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 3 to 0 carried as approved

m) 2017-0234 In the Matter of Thomasville Citizens for Responsible City Management

A motion was made to continue this case to a later date.

Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 3 to 0 carried as approved

A motion was made to continue the following cases to a later date:

- f) 2019-0035PC In the Matter of Vernon Jones
- h) 2019-0042PC In the Matter of Horacena Tate

Motioned by: Commissioner Watts
Seconded by: Chair Evans
Vote: 3 to 0 carried as approved

- k) 2018-0056 In the Matter of Erica Thomas

A motion was made to find that reasonable grounds exist that the Campaign Finance Act has been violated.

Motioned by: Commissioner Watts
Seconded by: Commissioner Thompson
Vote: 3 to 0 carried as approved

- l) 2017-0200/2016-0022 In the Matter of Osborn Nesbitt, Sr.

A motion was made to find that reasonable grounds exist that the Campaign Finance Act has been violated.

Motioned by: Chair Evans
Seconded by: Commissioner Thompson
Vote: 3 to 0 carried as approved

- n) 2018-0100 In the Matter of Thomas Cheek

A motion was made to find that reasonable grounds exist that the Campaign Finance Act has been violated.

Motioned by: Commissioner Watts
Seconded by: Commissioner Thompson
Vote: 3 to 0 carried as approved

CONSENT ORDERS:

The following Consent Orders were presented:

- a) 2019-0032PC In the Matter of Steban "Steven" Sainz
- b) 2019-0036PC In the Matter of Mickey Stephens
- c) 2019-0037PC In the Matter of Patricia Gardner
- d) 2019-0044PC In the Matter of James Burchett
- e) 2018-0034 In the Matter of Gary Thomas Brown
- f) 2019-0053PC In the Matter of Henry Dewayne Howard
- g) 2019-0040PC In the Matter of Sheikh "Chad" Rahman
- h) 2019-0033PC In the Matter of Brenda Lopez Romero
- i) 2019-0034PC In the Matter of Winfred Dukes
- j) 2019-0039PC In the Matter of Dexter Sharper

Note: Cases g-j were moved from Preliminary Hearings

After having been presented, a motion was made to adopt the presented consent orders in block subject to the 2018 change in the matter of Mickey Stephens.

*Motioned by: Chair Evans
Seconded by: Commissioner Thompson
Vote: 3 to 0 carried as approved*

REPORT OF THE ATTORNEY GENERAL

The Attorney General's office reported that the requested opinion is under-going final review.

SCHEDULING DATES FOR THE 2020 QUARTERLY COMMISSION MEETINGS

Given that two Commissioners were out, Chair Evans proposed that Secretary Emadi circulate some dates among the Commission in order to select the dates for the 2020 calendar.

PUBLIC COMMENT

There was no comment from the public.

MEETING ADJOURNED:

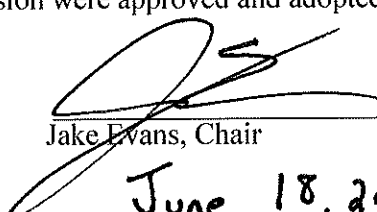
A motion was made to adjourn the meeting.

*Motioned by: Chair Evans
Seconded by: Commissioner Watts
Vote: 3 to 0 carried as approved*

The meeting was adjourned at 03:34 p.m.

Official Minutes Statement

The foregoing Minutes for the December 4, 2019 Regular Meeting of the Georgia Government Transparency and Campaign Finance Commission were approved and adopted by the Commission at the Commission's meeting on June 18, 2020.



Jake Evans, Chair

Date

June 18, 2020